

Message Text

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ACTION L-03

INFO OCT-01 IO-14 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15 ACDA-19 EB-11

SCA-01 SY-10 USSS-00 A-01 OMB-01 DRC-01 /208 W

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R 191920Z OCT 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 351

INFO AMEMBASSY BONN

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E.O. 11652: NA

TAGS: UNGA, PINS

SUBJ: UNGA--LEGAL COMMITTEE--PROTECTION OF DIPLOMATS

REF: BONN 14998 AND PREVIOUS

1. AT DRAFTING COMMITTEE MEETING MORNING OCT 18, SECRETARIAT DOCUMENT CONTAINING PROVISIONAL AGREED VERSION OF ARTICLE 1 (A/C.6/SC.12/R.3) (TEXT TRANSMITTED USUN 3986) CIRCULATED, BUT FINAL DECISION IN DRAFTING COMMITTEE PSOTPONED AFTER SOVIETS REQUESTED ADDITIONAL TIME IN ORDER TO RECEIVE INSTRUCTIONS.

2. DRAFTING COMMEITTEE SPENT REMAINDER OF MEETING DISCUSSING ARTICLE 3 AND AMENDMENTS THAT HAVE BEEN PROPOSED FOR THAT ARTICLE. NO SUBSTANTIAL PROGRESS MADE DESPITE RELATIVELY UNIMPORTANT NATURE OF AMENDMENTS TO ARTICLE BECAUSE TTHOSE SUPPORTING CHANGES HELD FIRM TO POSITION WHILE THOSE DESIRING MAINTAIN ILC TEXT ALSO HELD FIRM. DRAFTING COMMITTEE SCHEDULED TO MEET TWICE OCT 19 TO CONTINUE WORK.

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3. IN SIXTH COMMITTEE MEETING AFTERNOON OCT 18, ARTICLES 6,

7 AND 8 DISCUSSED. TEXT OF AMENDMENTS SUBMITTED FOR THESE ARTICLES TRANSMITTED USUN 4060. IN ADDITION IT SHOULD BE NOTED THAT, WITH REGARD TO ARTICLE 6, NIGERIA SUGGESTED DELETION OF WORDS "WITHOUT EXCEPTION WHATSOEVER". WITH REGARD TO ARTICLE 7, NIGERIA SUGGESTED ADDING NEW PARA PROVIDING: "SUCH EXTRADITION REQUEST IS WITHOUT PREJUDICE TO THE RESTRICTION ON EXTRADITION BY STATES" IN ORDER TO BE ABLE TO AVOID EXTRADITING AN ALLEGED OFFENDER TO, E.G., SOUTH AFRICA, BUT SAID IT READY TO WITHDRAW AMENDMENT IF WORD "PROCEDURAL" DELETED FROM PARAS 2 AND 3 PER DANISH AMENDMENT. TREND OF DISCUSSION FAVORED THIS DELETION. ANOTHER ISSUE OF DISCUSSION RAISED BY 3 SPEAKERS WAS WHETHER WORD "MAY" SHOULD BE REPLACED BY WORD "SHALL" IN PARA 2. SIGNIFICANT SUPPORT VOICED FOR DANISH AMENDMENT, BUT EASTERN BLOC GENERALLY ARGUED FOR ILC TEXT AS IS. ON ARTICLE 8, IN BRIEF DISCUSSION, BRAZIL AND GHANA SUGGESTED MOVING PARA 2 OF ARTICLE 5 INTO ARTICLE 8, TO BECOME PARA 2 OF ARTICLE 8. AS PER USUN 4060, THESE ARTICLES, EXCEPT PARA 4 OF ARTICLE 7, SENT TO DRAFTING COMMITTEE.

4. AT EVENING MEETING OF VAN BRUSSELEN (WEO) GROUP OCT 18, FRG, RESTRAINED MANNER. FOLLOWED THROGUH ON NEW INSTRUCTIONS PER REFTELS. WHEN OTHERS IN WESTERN GROUP RAISED OBJECTIONS ON GROUNDS OF (A) TIMING, (B) SUBSTANCE, AND (C) THAT GROUP HAD ALREADY AGREED TO COMPROMISE FORMULA SUBMITTED BY BELGIANS (AND BELGIAN SUBMISSION DID NOT EVEN REFLECT BELGIAN POSITION, BUT INSTEAD DEFERRED TO INTEREST OF GROUP, FRG REP BUETOW DID NOT PRESS POINT. MISSION APPRECIATES HELPFUL EFFORTS OF AMEMBASSY BONN IN ACHIEVING ACCEPTABLE RESULTS ON THIS MATTER.

5. FRENCE POSITION ON ISSUE OF MOTIVE CONSIDERED USUN 4059.

6. AT THIS POINT, VAN BRUSSELEN GROUP DISCUSSED NEW TEXT OF ARTICLE 2 TRANSMITTED USUN 4061, WITH RESULTS OF DISCUSSION REPORTED THAT TEL.

7. FINALLY, VAN BRUSSELEN GROUP DISCUSSED POSTURE OF WESTERN MEMBERS OF DRAFTING COMMITTEE ON GERMAN TECHNICAL AMENDMENTS LIMITED OFFICIAL USE

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TO ARTICLE 3 AND DETERMINED THAT IN ORDER TO EXPEDITE WORK IT BETTER NOT REPEAT NOT TO INSIST ON THESE AMENDMENTS IN INTEREST OF SPEED WORK OF DRAFTING COMMITTEE.

8. VAN BRUSSELEN GROUP WILL MEET AGAIN EVENING OCT 23, OR BEFORE THAT IF TIME AVAILABLE, TO CONSIDER ARTICLES 10, 11 AND 12 AND ISSUE FO ASYLUM.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICE PROTECTION
Control Number: n/a
Copy: SINGLE
Draft Date: 19 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973USUNN04068
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731020/aaaaaokk.tel
Line Count: 115
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: BONN 14998 AND PREVIOUS
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 10 OCT 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10-Oct-2001 by smithrj>; APPROVED <10-Dec-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNGA--LEGAL COMMITTEE--PROTECTION OF DIPLOMATS
TAGS: PINS, UNGA
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005